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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/576,082

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EXAMINER

BOLOTIN, DMITRIY

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

04/27/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/576,082	Applicant(s) BAUMANN ET AL.	
	Examiner Dmitriy Bolotin	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 10-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/14/2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

It would be of great assistance to the Office if all incoming papers pertaining to a filed application carried the following items:

1. Application number (checked for accuracy, including series code and serial no.).
2. Group art unit number (copied from most recent Office communication).
3. Filing date.
4. Name of the examiner who prepared the most recent Office action.
5. Title of invention.
6. Confirmation number (See MPEP § 503).

Claim Objections

1. Applicant is advised that should **claim 15** be found allowable, **claim 20** will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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3. **Claims 10, 11 and 18** are rejected under 35 U.S.C. 102(b) as being anticipated by Kuenzner (US 6,452,570).

As to **claim 10**, Kuenzner discloses a device for controlling the representation of information on a vehicle screen, comprising an actuator (input element 4 of fig. 1) about a longitudinal axis (z) (axis 4' of fig. 1) and movable transversely with respect to the longitudinal axis (z) (col. 2, lines 60 – 64), wherein a portion of the information is represented on the vehicle screen (window 2 of fig. 1) and is displaced by a deflection movement of the actuator transversely with respect to the longitudinal axis z (translational movement of operating element 4 in the direction of arrow 5 of fig. 1, col. 2, lines 64 – 68), and wherein discrete markable elements can be marked by a rotational movement of the actuator about the longitudinal axis (z) (point A can be entered into the navigation system via axial movement of operating element 4 of fig. 1, col. 3, lines 20 – 25), wherein the information comprises the discrete markable elements (locations A, B, C, col. 2, lines 45 – 49).

As to **claim 11** (dependent on 10), Kuenzner discloses the device, wherein each one of the marked discrete markable elements (locations A, B, C, col. 2, lines 45 – 49) is selected by moving the actuator axially with respect to the longitudinal axis (z) (point A can be entered into the navigation system via axial movement of operating element 4 of fig. 1, col. 3, lines 20 – 25).

As to **claim 18** (dependent on 10), Kuenzner discloses the device, wherein each one of the discrete markable element comprises an address (locations A, B, C, col. 2,

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lines 45 – 49, furthermore, locations displayed on the map inherently comprise address).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. **Claims 12 – 17 and 19 – 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuenzner in view of Weimper et al. (US 6,757,594).

As to **claim 12** (dependent on 10) and **claim 19** (dependent on 11), Kuenzner discloses the device, wherein the portion of the page represented on the vehicle screen

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is smaller than a page size (if the desired information is not on the screen, it can be found by moving the screen, col. 3, lines 1 – 11).

Kuenzner fails to disclose that the information is provided in a lateral representation.

In the same field of endeavor, Weimper discloses the device for a vehicle, wherein the information is provided in a lateral representation (internet page displayed on the screen such as one in fig. 3A, col. 4, lines 50 – 57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device of Kuenzner by integrating a browser which allows displaying lateral information, so as to be able to access Internet or WAP pages and navigate through them using rotary/push button switch (Weimper, col. 2, lines 59 - 65)

As to **claim 13** (dependent on 12), **claim 14** (dependent on 13), **claim 15** (dependent on 13), **claim 16** (dependent on 15), **claim 20** (dependent on 13) and **claim 21** (dependent on 14), Kuenzner fails to disclose the device, wherein finished pages are received from outside the vehicle via a communications device and can be represented on the vehicle screen. The device characterized in that the finished pages are Internet pages and wherein each one of the discrete markable elements comprises a reference to one of at least one further page and at least one image, wherein selection of the reference represents the said one of at least one further page and at least one image on the vehicle screen.

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In the same field of endeavor, Weimper discloses the device, wherein finished pages (Internet page and WAP page, col. 4, lines 50 - 57) are received from outside the vehicle (internet 36 of fig. 1) via a communications device (input/output unit 34 of fig. 1) and can be represented on the vehicle screen (display screen 24 of fig. 1). The device characterized in that the finished pages are Internet pages (Internet page and WAP page, col. 4, lines 50 - 57) and wherein each one of the discrete markable elements (hyperlinks 50 of fig. 3B) comprises a reference to further page (col. 5, lines 23 – 26), wherein selection of the reference (hyperlink 50 of fig. 3B) represents said further page (col. 5, lines 23 – 26) on the vehicle screen (screen 24 of fig. 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device of Kuenzner by providing the means for interacting with internet, so as to be able to integrate browser function despite the use of a rotary/push button switch without the necessity of additional switches (Weimper, col. 1, lines 57 – 61).

As to **claim 17** (dependent on 10) and **claim 22** (dependent on 11), Kuenzner fails to disclose the device, wherein the information are messages which are received from outside the vehicle.

In the same field of endeavor, Weimper discloses the device, wherein the information are messages (Internet page and WAP page, col. 4, lines 50 - 57) which are received from outside the vehicle (internet 36 of fig. 1).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device of Kuenzner by allowing to receive messages from outside the vehicle, so as to be able to access Internet or WAP pages and navigate through them using rotary/push button switch (Weimper, col. 2, lines 59 - 65)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitriy Bolotin whose telephone number is (571)270-5873. The examiner can normally be reached on Monday-Friday, 8:00 AM - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on (571)272-7674. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. B./

Examiner, Art Unit 2629

/Amare Mengistu/

Supervisory Patent Examiner, Art Unit 2629